

# Understanding Domestic Violence Dual Arrest in Connecticut

Karen Jarmoc, CEO, CT Coalition Against Domestic Violence

Connecticut Criminal Justice Policy Advisory Commission  
February 23, 2017

# Connecticut - DV Arrests

	<u>2014</u>	<u>2015</u>
• Total DV Arrests –	17, 650	17, 634
• Total Dual Arrest -	3288-(18.6%)	3215-(18.2%)
• Total IPV Dual Arrest -	2464-(13.9%)	2412-(13.7%)

# Dual Arrest

- 112 Police agencies:
  - Municipal, CSP, colleges/universities, tribal.
- IPV Arrests – 2015:
  - 0-10% - 40 agencies.
  - 11-20% - 62 agencies.
  - 21+% - 10 agencies.
    - 3 with 1 arrest and 1 with 2 arrests.
  - National Average: 2-7%
- Generally occurs for misdemeanor offenses i.e. breach of peace, disorderly conduct.

# CT Statewide Model Policy

- Mandatory Arrest policy;
  - Based on **Probable Cause** that a DV crime has occurred.
  - Self defense exception.
- Dual Arrest;
  - **Probable Cause** to charge both parties.
  - Supervisors conduct a **Probable Cause** review at the scene and/or booking for all arrests, dual arrests, and claims of self defense.

# Self Defense – Dual Arrest

**Sec. 53a-19. Use of physical force in defense of person.** (a) Except as provided in subsections (b) and (c) of this section, a person is justified in using reasonable physical force upon another person to defend himself or a third person from what he reasonably believes to be the use or imminent use of physical force, and he may use such degree of force which he reasonably believes to be necessary for such purpose; except that deadly physical force may not be used unless the actor reasonably believes that such other person is (1) using or about to use deadly physical force, or (2) inflicting or about to inflict great bodily harm.

# Self Defense – Dual Arrest

## Exception to Mandatory Arrest CT's Model Policy for Law Enforcement's Response to DV

**When two or more opposing parties make complaints of violence –  
Officers should;**

- Evaluate each complaint separately to determine if probable cause exists for arrest/warrant.
- Consider evidence that suggests either party acted in self defense (reasonable belief).
  - Not required to make an arrest (**C.G.S. 46b-38b(b)**)

# Mandatory DV Training for Law Enforcement

**Sec. 7-294g. State and local police training programs to provide training re domestic violence, child abuse, and suicide intervention procedures.** (a) Each police basic or review training program conducted or administered by the Division of State Police within the Department of Emergency Services and Public Protection, by the Police Officer Standards and Training Council established under section 7-294b or by a municipal police department in the state shall provide a minimum **of two hours of training on the subject of domestic violence** that includes, but is not limited to, the following: (1) Enforcement of criminal laws applicable in cases involving domestic violence; (2) techniques for handling incidents of domestic violence which promote the safety of the victim and the officer and which reduce the likelihood of recurrence; (3) organizations in the state that offer aid or shelter to victims of domestic violence; (4) applicable procedures in the prosecution of cases involving domestic violence; (5) orders issued by a court pursuant to chapter 815a. The Division of State Police, the Police Officer Standards and Training Council or municipal police departments, in consultation with the Connecticut Task Force on Abused Women, shall develop a program curriculum and shall submit such curriculum to the task force for approval. Individual shelter programs in the task force may also conduct domestic violence training in conjunction with any police training program.

# Law Enforcement Training & Support

- **CCADV Dual Arrest/Self Defense training since 2013:**
  - 69 training sessions – 1,568 officers.
    - Includes In-Service, LAP and specific Dual Arrest training.
    - OVW Funded DV/Law Enforcement Project
  - POSTC and CSP include Dual Arrest /Self Defense in recruit and annual In- Service Training.

# Considerations

- Comprehensive examination of Dual Arrest data and contributing factors.
- Targeted/mandatory Dual Arrest /Self Defense training.
- Statutory changes.
- Model Policy changes.